# A-6247 (Special Permit Request) Mr. & Mrs. John Lively, 23 Hesketh Street

Demolish the detached garage located in the rear (north) yard of the property.

### CHEVY CHASE VILLAGE BOARD OF MANAGERS DECEMBER 10, 2012 MEETING

### STAFF INFORMATION REPORT

TO:

**BOARD OF MANAGERS** 

FROM:

ELLEN SANDS, PERMITTING AND CODE ENFORCEMENT COORDINATOR

DATE:

12/6/2012

SUBJECT:

HEARING OF APPEAL CASE NO. A-6247 SPECIAL PERMIT REQUEST

MR. & MRS. JOHN LIVELY, 23 HESKETH STREET

DEMOLISH THE DETACHED GARAGE LOCATED IN THE REAR (NORTH) YARD OF THE

PROPERTY.

NOTICE REQUIREMENTS: Abutting Owners; Public Notice

### Applicable Chevy Chase Building Regulation:

### The Chevy Chase Village Code § 8-19 states:

Any person intending to demolish, raze or tear down more than fifty (50) percent of the exterior features of an existing building, garage or accessory building within the Village must first obtain a special permit from the Board of Managers for such demolition to ensure that such work will be carried out in such a manner that abutting property owners will not be adversely affected and that the interests of the Village in public health, safety and welfare are not jeopardized by such work.

### APPLICABLE COVENANTS:

The covenants applicable to the Subject Property do not impose requirements regarding demolition.

### FACTUAL AND BACKGROUND INFORMATION:

The property is considered a Contributing Resource by the Historic Preservation Commission (HPC).



Figure 1: View of the detached garage from the driveway, looking north.



Figure 2: Looking west at the detached garage.

The Applicants have filed for a Historic Area Work Permit from the Historic Preservation Commission (HPC). The project includes an addition at the rear of the main house and removal of the detached garage. Both aspects of the project have been approved by HPC. As currently proposed the addition will not require additional Board approvals.

The Contractor for the Applicants has provided a demolition package consistent with what has been required with recent demolition requests. The package outlines the process of demolition as well as the results of testing for rodents, pests, asbestos and lead. Tests find that:

- There were no rodents or pests detected in the garage.
- Evidence of insects was detected, however the pest expert stated that the garage had "no significant insect infestation. Insects present were minor and commensurate with the age and use of [the] garage as a partial open structure".
- There was no asbestos detected.
- There is a presence of lead-based paint on the windows and trim. The Contractor has stated that standard safe practice will be followed for removal of windows and trim that contain lead-based paint. The contractor also submitted a "Steps to Lead Safe Renovation Repair and Painting" guide, issued by the Environmental Protection Agency (EPA) and stated that the processes outlined therein will be followed during demolition. Because of the length of the document, it is not reproduced in the Board materials. It has, however, been posted to the Village web site for reference.

The Village arborist has assessed the project and determined that there are no tree protection issues regarding the removal of the garage.

To date there have been no letters received from abutting or confronting neighbors regarding the project.

Applicable Fees: Demolition of Buildings: \$100; Special Permit for demolition of an accessory building: \$300; TOTAL: \$400.00

### RELEVANT PRECEDENTS:

Since 1995, twenty (20) special permits have been granted by the Board to demolish accessory buildings, seventeen (17) of which were detached garages. Fifteen (15) of those were located in the Chevy Chase Village Historic District. No applications for a special permit to demolish an accessory building have been denied.

### FINDINGS REQUIRED:

1. That the proposed special permit is authorized by the Village building regulations.

2. That the proposed special permit will not adversely affect the public health, safety or welfare nor the reasonable use of the adjoining properties.

3. That the proposed special permit can be granted without substantial impairment of the purpose and intent of the Village building regulations.

4. That the proposed special permit would not violate the covenants applicable to the subject property.

### **Draft Motion**

I move to direct staff to draft a decision APPROVING/DENYING the special permit request in case A-6247, based on the findings that ...

# CHEVY CHASE VILLAGE NOTICE OF PUBLIC HEARING

Please take notice that the Chevy Chase Village Board of Managers will hold a public hearing on the 10<sup>th</sup> day of December, 2012 at 7:30 p.m. The hearing will be held at the Chevy Chase Village Hall at 5906 Connecticut Avenue in Chevy Chase, Maryland.

### APPEAL NUMBER A-6247 Mr. & Mrs. John Lively 23 Hesketh Street Chevy Chase, Maryland 20815

The applicants have filed a request for a special permit pursuant to Section 8-11 of the Chevy Chase Village Code to demolish the detached garage located in the rear (north) yard of the property.

### The Chevy Chase Village Code § 8-19 states:

Any person intending to demolish, raze or tear down more than fifty (50) percent of the exterior features of an existing building, garage or accessory building within the Village must first obtain a special permit from the Board of Managers for such demolition to ensure that such work will be carried out in such a manner that abutting property owners will not be adversely affected and that the interests of the Village in public health, safety and welfare are not jeopardized by such work.

Additional information regarding this case may be obtained at the Chevy Chase Village Office between the hours of 9:00 a.m. and 5:00 p.m. Monday through Friday, may be viewed on the Village website at www.chevychasevillagemd.gov or you may contact the office for this information to be mailed to you.

This notice was mailed to abutting and confronting property owners on the 29<sup>th</sup> day of November, 2012.

Chevy Chase Village Office 5906 Connecticut Avenue Chevy Chase, Maryland 20815 301-654-7300



### MAILING LIST FOR APPEAL A-6247

MR. & MRS. JOHN LIVELY 23 HESKETH STREET CHEVY CHASE, MD 20815

Adjoining and confronting property	owners	
Current Resident	Ms. Mel Oncu &	
25 Hesketh Street	Mr. Ross Wiener	
Chevy Chase, MD 20815	Or Current Resident	
	21 Hesketh Street	
	Chevy Chase, MD 20815	
Mr. & Mrs. William Walsh	Ms. Mary Frances Pearson &	
Or Current Resident	Mr. Joseph G. Howe, III	
24 Hesketh Street	Or Current Resident	
Chevy Chase, MD 20815	26 Hesketh Street	
	Chevy Chase, MD 20815	
Mr. & Mrs. Carter H. Griffin	Mr. & Mrs. Gregory K. Ingram	
Or Current Resident	Or Current Resident	
26 West Irving Street	28 West Irving Street	
Chevy Chase, MD 20815	Chevy Chase, MD 20815	
Mr. & Mrs. Mark H. Kovey		
Or Current Resident		
30 West Irving Street		
Chevy Chase, MD 20815		

I hereby certify that a public notice was mailed to the aforementioned property owners on the 29<sup>th</sup> day of November, 2012.

Ellen Sands
Permitting and Code Enforcement Coordinator
Chevy Chase Village
5906 Connecticut Avenue
Chevy Chase, MD 20815



November 30, 2012

Mr. & Mrs. John Lively 23 Hesketh Street Chevy Chase, MD 20815

Dear Mr. & Mrs. Lively:

Please note that your request to demolish the detached garage located in the rear yard of your property is scheduled before the Board of Managers on Monday, December 10, 2012 at 7:30 p.m.

Either you or another representative must be in attendance to present your case. At that time, additional documents may be introduced and testimony can be provided in support of the request.

For your convenience, enclosed please find copies of the Public Hearing Notice and mailing list. Please contact the Village office in advance if you are unable to attend.

Sincerely,

Ellen Sands

Permitting and Code Enforcement

Chevy Chase Village

**Enclosures** 

# **Chevy Chase Village**

# **Building Permit Application**

Permit No:<u>A − 6247</u>

Property Address:  23 HESKETH STREET
Resident Name: JOHN \$ SUSIE LIVELY
Daytime telephone: 240 - 393 - 8092 Cell phone: 240 - 393 - 8092
After-hours telephone:
E-mail: Sysie Lively @ YAHOO. com
Project Description:
PEAR APRILIA TO EXISTING 2 STORM HAVE WITH TRASSPORT PENNING!
OF tx15TMC SIMILE CAR CARAGE AT LEAP OR PROPERTY.
Check here if the construction will require the demolition of over fifty (50) percent of any existing structure.
Primary Contact for Project:
☐ Resident ☐ Architect ☐ Project Manager ☐ Contractor*
*MHIC/MD Contractor's License No. (required):
Information for Primary Contact for Project (if different from property owner):
Name: NEAC THANSON
Work telephone: 202-747-4823 After-hours telephone: 202-747-4823
Cell phone: 202 - 747 - 4623
E-mail: NEAC Q THOM SON CLUKE, COM
Will the residence be occupied during the construction project?
If no, provide contact information for the party responsible for the construction site (if different from above):
Name: WILL PINTO, WWK CONSTRUCTION-
Address: 13/04 MITON CARE DUNC, SILVEN SPANC, MD 20906
Work telephone: 240-464-4749 After-hours telephone: SAME.
Cell phone: SAME
E-mail: NWK-CONSTRUCTON @ HOTMAN , CON
Parking Compliance:
Is adequate on-site parking available for the construction crews?
If no, please attach a parking plan which minimizes inconvenience to neighboring residents, and indicate if the property is in a permit parking area.
Will road closings be required due to deliveries, equipment or other reasons?

**Building Permit Filing Requirements:**Application will not be reviewed until the application is complete

Copy of stamped drawings approved by Montgomery County Department of Permitting Services (DPS) and the Historic Preservation Commission (HPC), if required. Every page of drawings must be clearly stamped.
This application form, signed by resident.
Boundary Survey
Site Plan (see: Village Site Plan Checklist to ensure completeness)
Building plans and specifications
Tree Preservation Plan requested of Village arborist (see: Village Tree Inspection Request form). All required tree protections must be fully installed before any work begins.
Filing Fee (due at time of application). Fees schedule is listed in Chapter 6 of the Village Code.
Damage deposit or performance bond (due when Building Permit is issued). Amount of required deposit or bond will be set by Village Manager.
Once this permit application is complete, the Village Manager will review the application and accompanying documents and, under most circumstances, act on the application within 5 to 10 working days.
If the Montgomery County permit is suspended, revoked or lapsed, the Village permit is automatically suspended, revoked or lapsed.
No signs advertising the architect, contractor, or any other service provider may be posted on the work site.
I hereby certify that I have the authority to make the foregoing application, that the application is correct, that I have read and understood all requirements and that the construction will conform to the regulations of the Montgomery County Zoning Code, the Village Code including Urban Forest code, and any covenants and easements on the subject property.  Applicant's Signature:  Date: Date:
To be completed by Village staff:  Is this property within the historic district? Yes No Staff Initials:  Date application filed with Village:  Date permit issued:  Expiration date:

For Use By Village Manager	Appli	cation approved with	the following conditions:
	-		
		~	
or Ise IV Village Manager	Application denied for the following reasons:		the following reasons:
NOV 1 5 2012  Chevy Chase Village Manager	Domo	hobert litim rag	rives a Special
Village (vicillage)	Mana	RUS.	0
Filing Fees (due when application submitted)	Checks	Payable to:	Chevy Chase Village 5906 Connecticut Ave.
Permit Application Fee: \$ 300.00 (see Permit Fee Worksheet)  \$50.00 (if construction is in the Public Right-of-way)	)		Chevy Chase, MD 20815
Tree Preservation Plan Fee:  \$\sum \\$\\$\\$\\$\\$\\$\\$\\$\\$\\$\\$\\$\\$\\$\\$\\$\\$\\$\\$	BD har a	emo 4 New cor	stuction
TOTAL Fees: #300.00	Date: Staff Sig	11/15/12 gnature: Ellen	Sands
Damage Deposit/Performance Bo (due when permit is issued)	ond Checks	Payable to:	Chevy Chase Village 5906 Connecticut Ave. Chevy Chase, MD 20815
S Waived by Village Manager	Date: Village	Manager Signature:	
Cost of damage to R-O-W: (calculated at close-out)	Date: Village	Manager Signature:	

## **Chevy Chase Village**

# **Application for a Special Permit**

Chevy Chase Village Code Section 8-1(aa) defines a Special Permit as permission granted by the Board of Managers in accordance with Article II Division B of this Chapter [8], to construct, install, remove or alter a structure or planting, or take other action where such permission is required by this Chapter.

Subject Property: 23 HESKETH ST
Describe the Proposed Project: REMOVE FREE STANDING GARAGE
Applicant Name(s) (List all property owners): JOHN 3 SUSIE LIVELY
Applicant Name(s) (List all property owners): JOHN \$ SUSIE LIVELY  Daytime telephone: 240.393.8092  Cell: 240.393.8092
E-mail: SUSIELIVELY@YAHKO.com
Address (if different from property address): 23 HESKETH ST
For Village staff use:  Date this form received: 11/15/12 Special Permit No: A - 6247
Filing Requirements:
Application will not be accepted or reviewed until the application is complete
Completed Chevy Chase Village Application for a Special Permit (this form)  Completed Chevy Chase Village Building Permit Application
A boundary survey or plat diagram with a margin of error of one tenth of a foot or less showing all existin structures, projections and impervious surfaces.
Surveys, plats, engineering reports, construction plans/specifications or other accurate drawings showing boundaries, dimensions, and area of the property, as well as the location and dimensions of a structures/fences/walls/etc., existing and proposed to be erected, and the distances of succestructures/fences/walls/etc., from the nearest property lines. These drawings shall incorporate and display reference dimensions from the boundary survey or plat diagram required above.
Copy of Covenants, except for special permits authorized by Sections 8-22, 8-26 or Article IV of Chapter
of the Chevy Chase Village Code.  Applicable special permit fee listed in Chapter 6 of the Village Code.
- Frank of the state of the sta
Affidavit  I hereby certify that I have the authority to submit the foregoing application, that all owners of the property have signed below, that I have read and understand all requirements and that I or an authorized representative will appear at the scheduled public hearing in this matter. I hereby authorize the Village Manager, or the Manager's designed and/or the Board of Managers to enter onto the subject property for the purposes of assessing the site in relation this special permit request. I hereby declare and affirm, under penalty of perjury, that all matters and facts set fort in the foregoing application are true and correct to the best of my knowledge, information and belief.  Applicant's Signature:  Date:  Date:
Applicant's Signature: Date: W/2// V Page 1 of

Describe the basis for the special permit request (attach additional pages as needed):

Describe the reasons why approval of the special permit would not adversely affect the public health, safety or welfare or the reasonable use of adjoining properties:

PROPERTY LINES. IS IN FOOR SHAPE

Describe the reasons why the special permit can be granted without substantial impairment of the intent and purpose of Chapter 8 of the Chevy Chase Village Code, entitled *Buildings and Building Regulations*:

HPC HAS THUROUGHLY REVIEWED 3 CLEARED STRUCTURE FOR DEMOLITION 3 REMOVAL. WILL NOT BLOCK AIR CIRCULATION, CHANGE CHARACTER OF PROPERTY CREATE UNSAFE CONDITIONS, BLOCK VISTAS \$ WILL INCREASE GREEN SPACE.

In exercising its powers in connection with a special permit request, the Chevy Chase Village Board of Managers may reverse or affirm, wholly or partly, or may modify the requirement, decision or determination as it deems appropriate.

Special Permit Filing Fees	Checks Payable To:	Chevy Chase Village 5906 Connecticut Ave. Chevy Chase, MD 20815
Per Village Code Sec. 6-2(a)(24):   \$300.00 for new construction.  \$150.00 for replacing existing non-conformities.  \$2,250.00 for demolition of main building.  \$300.00 for demolition of accessory building or structure.  \$300.00 for fences, walls, play equipment, trees, hedges, shrubbery in the public right-of-way.  Fee Paid: \$300.00 for fences.	Date Paid: 11/15/12 Staff Signature: Eller A	
	Approved to Issue Building I Signed by the Board Secretar Date:	
	Signature:	

### Begin forwarded message:

From: "Silver, Joshua" < Joshua. Silver@montgomeryplanning.org>

Subject: RE: 23 Hesketh Street

Date: November 15, 2012 4:01:19 PM EST

**To:** Neal Thomson < neal@thomsoncooke.com > Cc: Patrick Cooke < nearlick@thomsoncooke.com >

On October 24, 2012 the Montgomery County Historic Preservation Commission approved a HAWP application for construction of a rear addition, demolition of a 1 story, rear yard garage and other alterations at 23 Hesketh Street, Chevy Chase. The HPC found the HAWP application as being consistent with the Chevy Chase Village Historic District Guidelines, and therefore would not substantially alter the exterior features of the historic resource and is compatible in character with the district and the purposes of Chapter 24A.

From: Neal Thomson [mailto:neal@thomsoncooke.com]

Sent: Thursday, November 15, 2012 3:20 PM

**To:** Silver, Joshua **Cc:** Patrick Cooke

Subject: 23 Hesketh Street

Josh-

Can you send Ellen Sands at CCV an amended report showing the approval from HPC to remove the garage? We have submitted our special building permit to CCV for the garage removal, although Ellen Sands said she would like an updated copy of the report with the HPC approval to include in the application. If you could send me a copy as well that would be great!

Thanks

Neal Thomson AIA

Thomson + Cooke Architects 202.747.4823

www.thomsoncooke.com

## WWK CONSTRUCTION INC.

November 14, 2012

Chevy Chase Village 5906 Connecticut Avenue Chevy Chase, MD 20815

Re: Means and methods for demolition and removal of garage construction material at 23 Hesketh Street Chevy Chase, MD 20815.

To Whom It May Concern:

Demolition and removal of construction material will at all times be done in accordance with all applicable Chevy Chase Village and Montgomery County codes and ordinances, as well as in accordance with the requirements of any permits, including demolition permits and Historic Area Work Permits issued in conjunction with said work.

- Prior to start of demolition, WWK Construction, Inc., will prepare the site and install
  all sediment and tree protection required. 6 mil poly sheets will be installed at the
  perimeter walls to protect the soil according to the EPA.
- We have experience in lead based paint removal and We will follow the current EPA stands for lead based paint removal according to in EPA regulations as stated in the attached document titled "Steps to Lead Safe Renovation, Repair and Painting."
- Prior to commencing demolition activities, the garage will be hosed down in order to minimize any dust resulting from the demolition and water will be used as required and as needed throughout the demolition process.
- WWK Construction Inc., will use hand tools to disassemble the existing garage.
   Debris will be encapsulated in 6 mil poly and loaded into our company truck and will be delivered to the appropriate landfills (for recycling) outside of the Village of Chevy Chase.
- Work crews will make every attempt to park on private property, and if needed will park in front of the house on Hesketh Street.



# WWK CONSTRUCTION INC.

· The demolition will take two days weather permitting.

The demolition of the existing garage at 23 Hesketh Street Chevy Chase, MD 20815 should not affect the health, safety or welfare, or the reasonable use of adjoining properties. Granting of the Special Permit will not impair the intent or purpose of Chapter 8 of the Chevy Chase Village code.

Regards

Walge Manager
General Manager

# H & D Environmental LLC.

3826 Irongate Lane Bowie, Maryland 20715

E-mail: Rodneydistance@yahoo.com

Voice: 410-814-9273 Voice: 301-266-8629

November 26, 2012

Mr. Patrick Cooke Thomson + Cooke Architects 5232 Chevy Chase Parkway, NW Washington DC 20015

RE: Limited Pre-Alteration Survey for Lead-Based Paint Chip & Asbestos Containing Building Materials 23 Hesketh Street, Chevy Chase Maryland 20815-3739

Dear Mr. Cooke:

H&D Environmental LLC (H&D) has conducted a limited pre-alteration paint chip survey for Lead-Based Paint (LBP) and Asbestos Containing Building Materials (ACBM) at 23 Hesketh Street, located in Chevy Chase Maryland 20815. The survey was conducted on the garage areas structures that may be disturbed as a result of planned renovations activities. This report summarizes findings from the sampling performed by H&D Environmental LLC on November 17, 2012. H&D Environmental LLC's industrial hygienists Mr. Rodney Distance conducted the survey.

The survey entailed performing a walk through of the building with Mr. John Lively to verify the presence of asbestos and lead based paint within the renovation areas and sampling any suspect material previously not identified.

### ASBESTOS BULK SAMPLING

During the asbestos sampling, H&D Environmental LLC collected Five (5) bulk samples of suspect asbestos containing building materials (ACBM) from a specified location identified for planned renovations and demolition.

### Garage

- Window Glazing Left Window
- Window Glazing Right Window
- Exterior Plaster Wall
- Roof Shingle
- Roof Paper under Shingles

The samples were submitted to the laboratory for analysis via Polarized Light Microscopy (PLM). EMSL Analytical, Inc. analyzed these samples at its National Voluntary Laboratory Accreditation Program (NVLAP)-accredited laboratory.

According to EPA regulations, any material containing 1% asbestos is considered an ACBM. The analytical results indicate that none (0) of the samples collected contained asbestos at levels greater

than 1%. The results are summarized in Table 1 and the laboratory analytical data sheets are included in Appendix B.

TABLE 1: BULK SAMPLING RESULTS; 23 Hesketh Street, Chevy Chase Maryland 20815-3739 November 17, 2012				
Sample #	Location	Appearance	Result	
111712-23- 01	Garage Window Glazing Left	Off-White Non Friable Homogenous	Trace	
111712-23- 02	Garage Window Glazing Right	Off-White Non Friable Homogenous	Trace	
111712-23- 03	Garage Exterior Plaster Wall	Beige Non Friable Homogenous	No Asbestos Detected	
111712-23- 04	Garage Roof Shingle	Black Non Friable Homogenous	No Asbestos Detected	
111712-23- 05	Garage Roof Shingle Paper	Black Non Friable Homogenous	No Asbestos Detected	

### Sampling and Analysis Method for Lead

Paint chips samples were collected by scraping paint from the surface into a re-closable plastic bag. All layers of paint were collected. The collected samples were placed in clean plastic sample tubes and delivered to AMA Analytical Services, Inc. located at 4475 Forbes Blvd, Lanham, MD 20706 for analysis. Clean gloves were used prior to collection of each sample. The sample bags were labeled with a unique number for every sample and listed in the chain of custody form.

The samples were analyzed by AMA using NIOSH method 7420. AMA is an AIHA accredited laboratory, recognized by EPA for lead paint, soil, dust and air sample analysis.

### Results

Specific sample locations and analytical results for paint chips samples collected from the building are listed in Tables 2.

TABLE 2: Lead Paint Chips Sampling Results				
23 Hesketh Street, Chevy Chase Maryland 20815-3739 November 17, 2012				
Sample #	Location	Lead Concentration % by Wt	Date Sampled	
111712-23-PB-01	Garage Door Frame	21 % Pb	11/17/12	
111712-23-PB-02	Garage Soffit	22 % Pb	11/17/12	
111712-23-PB-03	Garage Window Frame	20 % Pb	11/17/12	

23 Hesketh Street Chevy Chase Maryland 20815 Page 3 November 26, 2012

### **CONCLUSIONS**

Based on the Lead-based Paint Chip sampling, the laboratory analyses indicated that the following paint chips contained lead concentrations greater than 0.5% by weight;

- Garage Door Frame
- Garage Soffit
- Garage Window Frame

Based on the asbestos sampling event, the following building material was confirmed to be an ACBM (NONE)

### RECOMMENDATIONS

Any alterations or renovations that may disturb lead based paint containing building structures should be conducted in accordance with all regulations governing handling lead based paint containing building structures in construction. The LBP surfaces could become LBP hazard if:

- □ LBP on friction surfaces is subject to abrasion.
- ☐ The LBP is damaged or deteriorated.

Building renovation and/or demolition activities have the potential to produce hazardous wastes if lead-based paint is dry scraped, dry sanded, or heated. The hazardous waste criteria for lead wastes is established under the Federal Resource Conservation and Recovery Act (RCRA), Subtitle C, as 5.0 mg/L measured with the Toxicity Characteristic Leaching Procedure (TCLP) as listed in CFR 40 Part 261. A representative sample of demolition debris should also be collected for purposes of TCLP testing to determine disposal options. The lead-based paint debris generated during demolition should be handled in accordance with all applicable federal, state and local regulations.

H&D Environmental LLC is pleased to have performed this Lead-based Screening and Asbestos Building Material survey project and written report. If you have any questions please call us at (301) 266-8629.

Sincerely,

**H&D ENVIRONMENTAL LLC** 

Jewel A. Howard President /CEO

# MR Bugs, Inc

P.O. BOX 343 CABIN JOHN, MD 20818 301-229-7200

November 27, 2012

Department of Permitting Services 255 Rockville Pike Rockville, MD 20850

Attention Division of Casework Management:

Re: 23 Hesketh St.

Chevy Chase, MD 20815

MR Bugs, Inc. is licensed with the Maryland Department of Agriculture in the category of "Industrial, Institutional, Structural & Related - Rodent". You will find our company listed with the following information:

Business Name: MR Bugs, Inc. Business License Number: 25991 Expiration Date: June 30, 2013

MR Bugs, Inc. has inspected 23 Hesketh St., Chevy Chase, MD on November 20, 2012 and finds that it is free of any rodents or other pests.

Michael Roark Michael Roark Vice President





P.O. Box 343, Cabin John, MD 20818 Office 301-229-7200 Fax 301-229-1570 mrbugz@verizon.net

November 20, 2012

To Whom It May Concern:

MR Bugs, Inc. inspected the property at 23 Hesketh St. Chevy Chase, MD and found that it had no significant insect infestation. Insects present were minor and commensurate with age and use of garage as a partial open structure.

Owner

MR Bugs, Inc.



# LANDMARK ENGINEERING, INC.

6110 Executive Boulevard, Suite 110 Rockville, Maryland 20852

consulting engineers • planners • surveyors

(301) 230-5881 Fax: (301) 230-5884 E-mail: landmarkengr@aol.com

October 9, 2012

Mr. Neal Thomson, AIA Thomson + Cooke Architects 5232 Chevy Chase Parkway Washington, DC 20015

Re:

Drainage Improvements

23 Hesketh Street

Chevy Chase, Maryland

### Dear Mr. Thomson:

Our firm has been contracted by the owners of this property to provide the civil engineering and site planning required to support the proposed building addition plans for their home. In coordination with your office we have reviewed your addition plans and have incorporated them into our site plan. Part of our contract with the owners is to address the drainage patterns on the property. We also were made aware by the owners and your office of the current situation regarding the storm drainage particularly in the rear yard. We have prepared several exhibits to present this situation and our recommendations regarding improving the problem in the rear yard. Exhibit A shows the location of 23 Hesketh Street within the local neighborhood and has the topography obtained from the County's GIS records. The drainage pattern within this block shows that the lots fronting on the north side of Hesketh Street and the south side of West Irving Street predominantly drain to the rear of those lots and outfalls to the west toward Cedar Parkway.

The current developed condition of the property is shown in Exhibit B, Existing Conditions. This lot with its two story house with a lower level basement slopes from Hesketh Street from Elevation 326 toward the rear of the property at approximately Elevation 320. In the rear yard there is an area between the house and garage that ponds water. Your plan, as we understand, is to demolish a small portion on the rear of the house to accommodate the new three level addition and also to remove the garage and part of the existing driveway serving that garage. This demolition is shown on Exhibit C, Proposed Demolition. This would allow the regrading of the rear of the lot to have a much better surface drainage slope between 3 – 4% as shown on Exhibit D, Proposed Conditions. Thus the demolition and regrading proposed eliminates the ponding area in the rear yard and also reduces the impervious cover of the garage and driveway, thus allowing much more green space in the rear yard.

Drainage Improvements 23 Hesketh Street Chevy Chase, Maryland

Although not required by the County's drainage requirements we have shown a concept for providing a drywell containment facility which could capture some of the roof drainage. This concept would need to be supported by a soils test to determine if the infiltration function of this type of facility is feasible. The drywell is shown near the rear of the lot and placement is typically 20 feet from an adjacent structure.

2

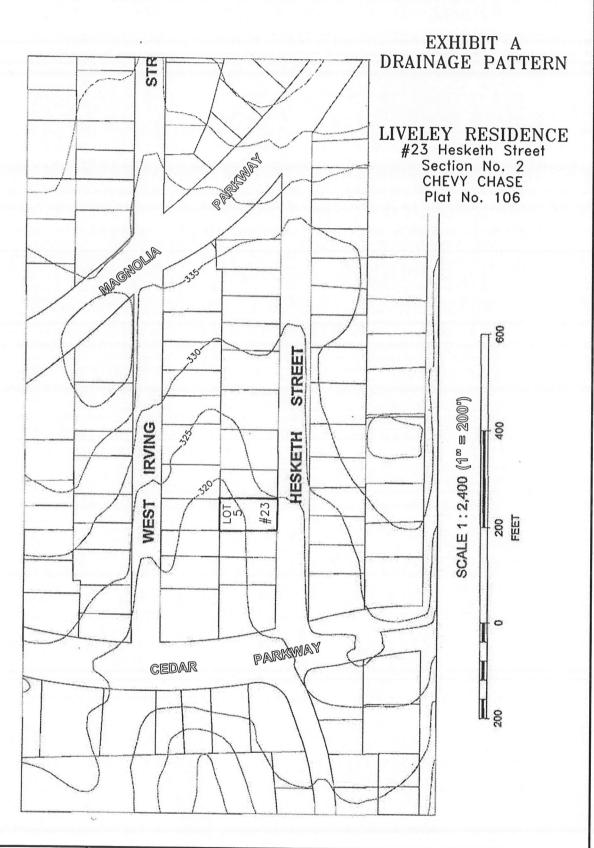
Please let us know if there are any questions relating to this matter.

Sincerely,

LANDMARK ENGINEERING, INC.

Charles T. Grimsley, P.E.

cc: John and Susan Lively



DRAWN BY: DVA

DATE: OCT 8, 2012

SCALE: 1" = 200'

JOB NO.: 1239

REFERENCE



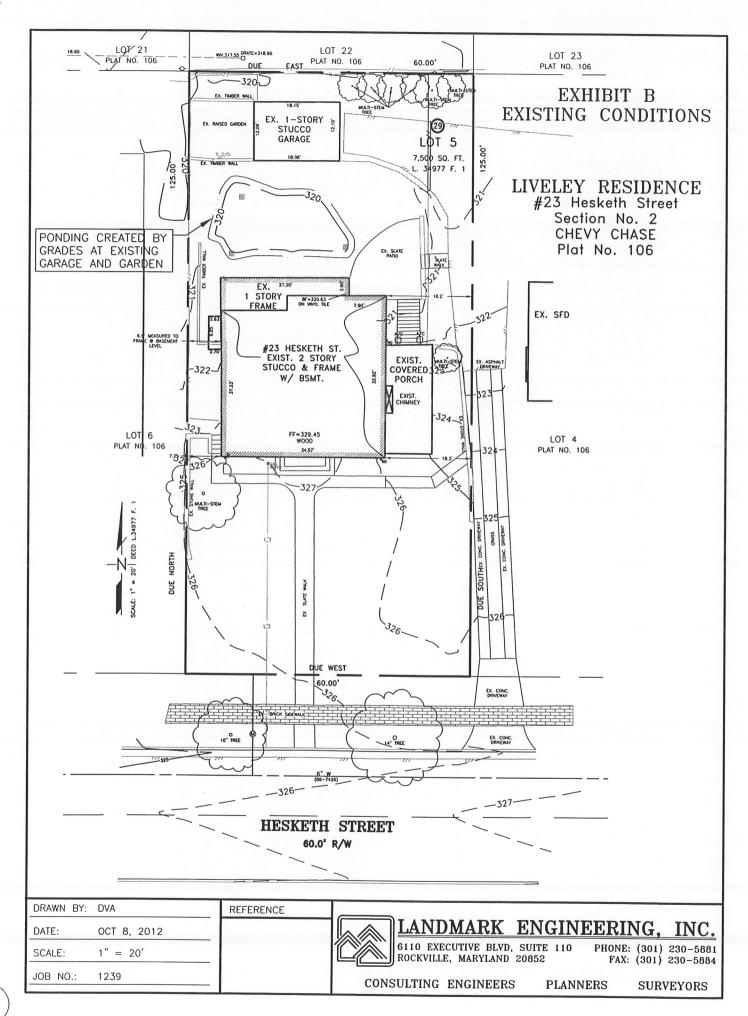
# LANDMARK ENGINEERING, INC.

6110 EXECUTIVE BLVD, SUITE 110 ROCKVILLE, MARYLAND 20852 PHONE: (301) 230-5881 FAX: (301) 230-5884

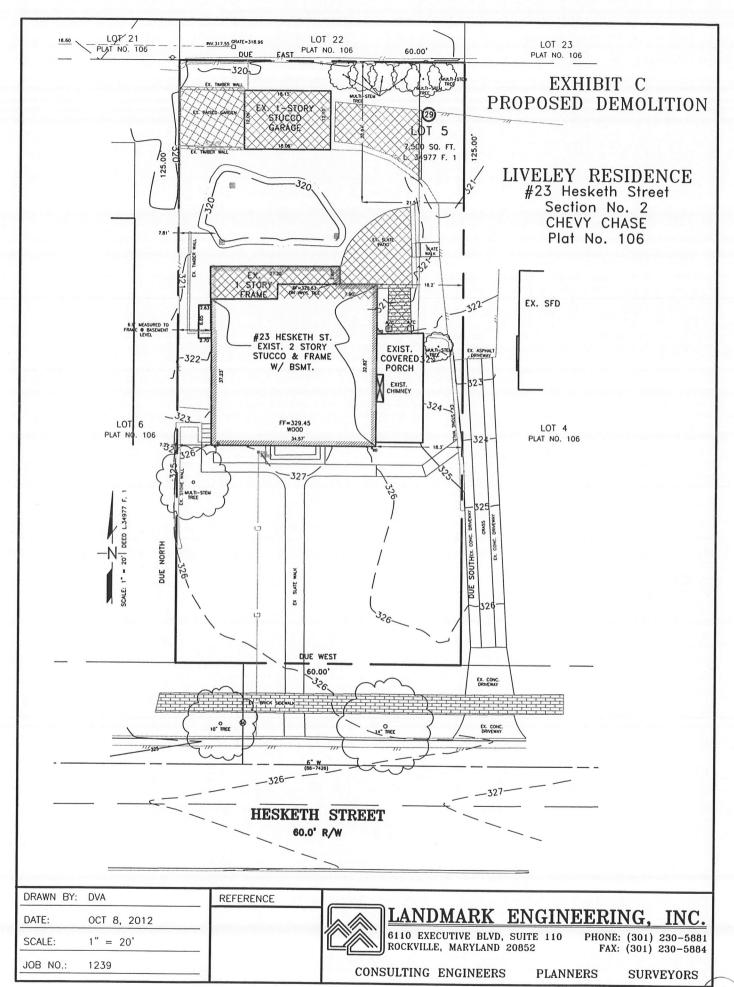
CONSULTING ENGINEERS

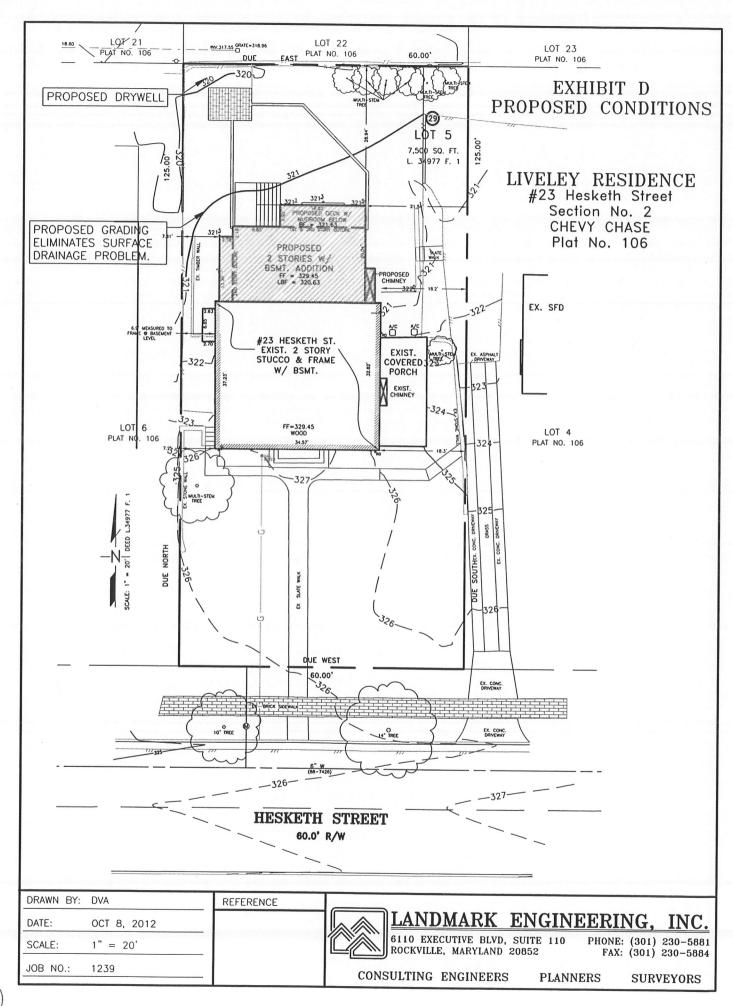
**PLANNERS** 

SURVEYORS



(18)





(9)

Steps to

# LEAD SAFE Renovation, Repair and Painting

United States
Environmental Protection
Agency



1-800-424-LEAD www.epa.gov/lead

# Step 1



# Determine If the Job Involves Lead-Based Paint

Before you begin a job, consider whether lead-based paint will be an issue.

### Find Out the Age of the Home or Child-Occupied Facility.

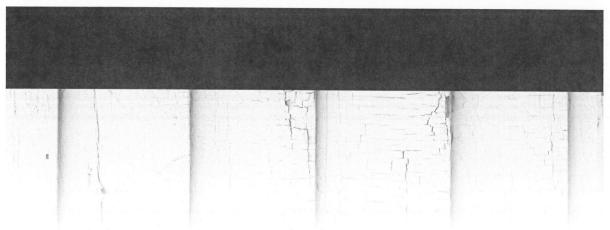
The age of a home can tell you a lot about whether lead-based paint is likely to be present.

- If it was built before 1978, it may have lead-based paint.
- The older the home, the greater the likelihood that lead is present in the paint and accumulated dust.
- Lead-based paint may be found either inside or outside the home and is most common in kitchens or bathrooms and in high gloss paint on trim, such as on window sills, door frames, and railings.

### Look for Information About Lead.

Information about lead-based paint in your home may be readily available. Under a federal disclosure law, when a pre-1978 home is sold or leased, the seller/landlord must provide information to the buyer/tenant about any known lead-based paint. Homeowners should check their records to see if they have information about lead-based paint and share this information with anyone performing work on the home.





### Consider Lead Testing.

If a home or child-occupied facility was built before 1978, all surfaces affected by a renovation covered by the Renovation, Repair and Painting Rule must either be tested for lead-based paint or presumed to contain lead-based paint. Testing must include all affected surfaces coated with paint, shellac, varnish, stain, coating or even paint covered by wallpaper, if it will be disturbed during the renovation work. A report documenting the testing must describe the test used, the surfaces tested, and the results of the testing. If lead-based paint is present on an affected surface, then the lead safe work practices described in this pamphlet must be used on the job.

There are two options for testing paint under the Renovation, Repair and Painting Rule:

- 1. Paint testing by a Certified Lead-based Paint Inspector or Lead-based Paint Risk Assessor—These licensed professionals conduct a surface-by-surface investigation for lead-based paint by collecting paint chips for laboratory analysis or by testing painted surfaces with an machine called an X-Ray Fluorescence Analyzer (XRF) which measures the amount of lead in the paint.
- 2. Paint testing by a Certified Renovator—Certified Renovators, at the request of the owner, can use EPA-recognized test kits or collect paint chips for laboratory analysis to test all painted surfaces affected by the renovation.

Note: HUD does not recognize testing by a Certified Renovator using test kits. In housing covered by the HUD Lead Safe Housing Rule, only the first option is allowed.

For a list of certified lead testing professionals in your area, go to <a href="http://cfpub.epa.gov/flpp">http://cfpub.epa.gov/flpp</a> or contact the National Lead Information Center at 1-800-424-LEAD (5323).

Remember, if the home or child-occupied facility was built before 1978 and there is no information available about the paint, renovators must presume lead-based paint is present and use the lead safe work practices described in this pamphlet. Make sure everyone involved on the job, including workers, supervisors and residents, uses proper safety precautions.

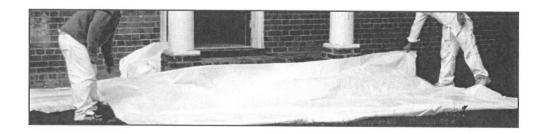
# Step 2 CAUTION Set It Up Safely

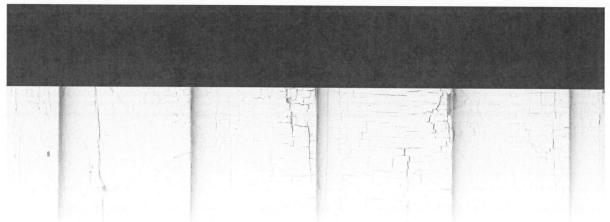
When you work on a job with lead-based paint, you must contain the work area to prevent the escape of dust and debris. The goal of proper setup of the work area is to keep dust in the work area and non-workers out.

The work area is the area that may become contaminated during the work. The size of the work area may vary depending on the method used to disturb lead-based paint and the amount of dust and debris that is generated as a result. Whenever lead-based paint is disturbed, the work area must be protected by plastic sheeting applied to the floor, ground or other applicable surfaces to prevent contamination of the home or exterior, from dust generated by the work.

The Renovation, Repair and Painting Rule requires that the work area be protected by plastic sheeting that extends a minimum of 6 feet for interior projects and 10 feet for exterior projects in all directions from the location where paint will be disturbed. For exterior renovations within 10 feet of the property line, vertical containment or equivalent extra precautions are required. The Rule further requires that protective plastic sheeting extend far enough from the location of paint disturbance so that all dust or debris generated by the work remains within the area protected by the plastic. The entire portion of the home or exterior that is protected by plastic sheeting, however large, is the work area.

Unauthorized persons and pets must be prevented from entering the work area. This can be accomplished by posting warning signs and by establishing barriers around the work area such as barrier tape, fencing, plastic barriers in doorways, etc.





# **Shopping List**

Here is a list of supplies and tools you will need to set up the work area safely. These items are available in hardware, paint or garden supply stores.

### Materials to Restrict Access and Cover the Floor/Ground

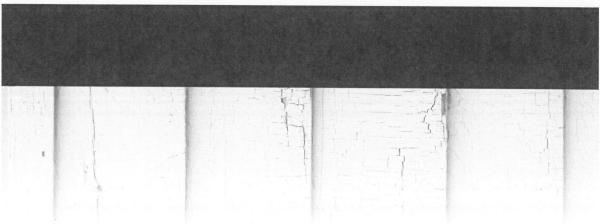
- ☐ Signs
- ☐ Barrier tape, rope or fencing
- ☐ Cones
- ☐ Heavy duty plastic sheeting
- ☐ Tape (masking, duct or painter's)
- ☐ Stapler
- ☐ Utility knife or scissors
- ☐ Rigid framing material for vertical containment

### What To Do

To keep the dust in and people out of your work area, you must take the steps below for inside or outside jobs.

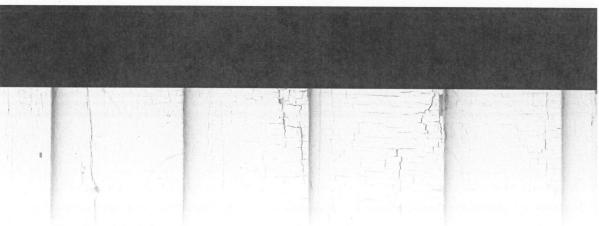
### Post Signs

You must post signs clearly defining the work area and warning occupants and other persons not involved in renovation activities to remain outside of the work area. These signs should be in the primary language of the occupants and should say "Warning – Lead Work Area" and "Poison, No Smoking or Eating." Also remember to keep pets out of the work area for their safety and to prevent them from tracking dust and debris throughout the home.



### For Inside Jobs

- Remove all objects from the work area, including furniture, rugs, and window coverings, or cover them with plastic sheeting with all seams and edges taped or otherwise sealed.
- Cover the floor surface, including installed carpet, with taped-down plastic sheeting in the work area 6 feet from the area of paint disturbance or a sufficient distance to contain the dust, whichever is greater. If a vertical containment system is employed, floor covering may stop at the verticial barrier, providing it is impermeable, extends from floor to ceiling, and is tighltly sealed at floors, ceilings, and walls.
- Close windows and doors in the work area. Doors must be covered in plastic sheeting. When the work area boundary includes a door used to access the work area it must be covered in a way that allows workers to pass, but also confines dust and debris to the work area. One method is to cover the door with two layers of protective sheeting as described here:
  - Cut and secure one layer of sheeting to the perimeter of the door frame. Do not pull the sheeting taut. Rather, leave slack at the top and bottom of the door before taping or stapling.
  - Cut a vertical slit in the middle of the sheeting leaving 6" uncut at the top and bottom. Reinforce with tape.
  - Cut and secure a second layer of sheeting to the top of the door.
- Close and cover all ducts opening in the work area with taped-down plastic sheeting.
- Ensure that all personnel, tools, and other items, including the exteriors
  of containers of waste, are free of dust and debris before leaving the work
  area.



### For Outside Jobs

- Cover the ground with plastic sheeting or other disposable impermeable material extending 10 feet beyond the perimeter of surfaces undergoing renovation or a sufficient distance to collect falling paint debris, whichever is greater. If the renovation will affect surfaces within 10 feet of the property line, then vertical containment or equivalent extra precautions must be erected to prevent contamination of adjacent buildings and property.
- Close all doors and windows within 20 feet of the renovation. On multi-story buildings, close all doors and windows within 20 feet of the renovation on the same floor as the renovation, and close all doors and windows on all floors below that are the same horizontal distance from the renovation.
- Ensure that doors within the work area that will be used while the job is being performed are covered with plastic sheeting or other impermeable material in a manner that allows workers to pass through while confining dust and debris to the work area.
- In certain situations, the renovation firm must take additional precautions in containing the work area to ensure that dust and debris from the renovation does not contaminate other buildings or other areas of the property or migrate to adjacent properties.
  - When working on the 2nd story or above, you should extend the sheeting farther out and to each side where paint is being disturbed.
  - It is also a good idea to use vertical containment if work is close to a sidewalk, street, or property boundary, or the building is more than three stories high.
  - Avoid working in high winds if possible. EPA's rule does not address wind speed, but when the wind is strong enough to move dust and debris, precautions need to be taken to keep the work area contained. That may mean creating a wind screen of plastic at the edge of the ground-cover plastic to keep dust and debris from migrating. Ultimately, you are responsible for preventing dust and debris from leaving the work area, so take appropriate precautions when wind is a factor or consider rescheduling the renovation for a less windy day.

# Step 3 Protect Yourself

### Workers should protect themselves.

Without the right personal protective equipment, workers may ingest or inhale lead from the job and may risk bringing lead from the worksite home to their families. The following items are available through hardware, paint, garden supply stores or other specialty suppliers.

# **Shopping List**

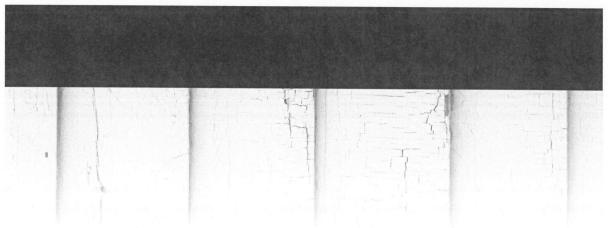
- ☐ Painter's hat
- ☐ Disposable coveralls
- ☐ Disposable N-100 rated respirator
- ☐ Disposable shoe covers



### What to Do

### Consider wearing:

- Disposable protective clothing covers to limit contamination of your clothing. They can be stored in a plastic bag and reused if they are fairly clean and are not torn. Small tears can be repaired with duct tape.
- Disposable shoe covers to prevent the tracking of dust from the work area and to protect your shoes from exposure to dust.
- A painter's hat to protect your head from dust and debris. These are easy to dispose of at the end of the day.



### Respiratory protection.

When work creates dust or paint chips, workers should wear respiratory protection, such as an N-100 disposable respirator, to prevent them from breathing leaded dust.

No smoking, drinking or eating in the work area.

You should not eat, drink or smoke in a lead work area because dust and debris that comes in contact with these items can contaminate them and cause the ingestion of lead when consumed.

### Wash up.

Workers should wash their hands and faces each time they stop working. It is especially important to wash up before eating and at the end of the day.

Wash your work clothes separately from family laundry.



Note: OSHA rules may require employers to take further steps to protect the health of workers on the job. See www.osha.gov/SLTC/lead/index.html.

# Step 4



# Minimize the Dust

As you work, your goal is to keep down the dust.

Remember that as you scrape, drill, cut, open walls, etc., you are creating dust. You can keep dust down by using the right tools and following some simple practices that minimize and control the spread of dust. The following items are available through hardware, paint, garden supply stores or other specialty suppliers.

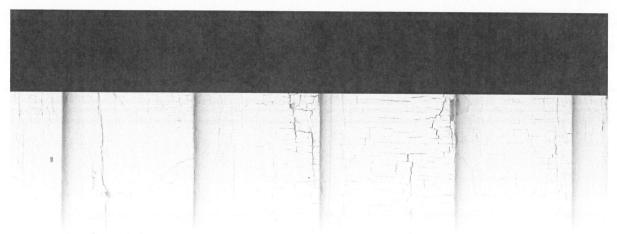
# **Shopping List**

### Materials for all jobs:

- ☐ Wet-dry sandpaper, sanding sponge
- ☐ Misting bottle or pump sprayer
- ☐ Heavy plastic sheeting
- ☐ Utility knife or scissors
- ☐ Masking tape, duct tape, or painters' tape
- ☐ High Efficiency Particulate Air (HEPA) vacuum
- ☐ Heavy duty plastic bags
- ☐ Tack pads (large, sticky pads that help remove dust), paper towels, or disposable wipes

### Other tools that may be needed:

- ☐ Low-temperature heat gun (under 1,100 degrees Fahrenheit)
- ☐ Chemical strippers without methylene chloride
- ☐ Power tools with HEPA filter equipped vacuum attachments



## What To Do

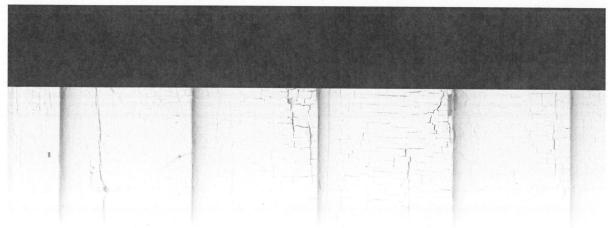
#### Do Not Use Prohibited Practices.

The Renovation, Repair and Painting Rule prohibits the following dangerous work practices by contractors:

- Open-flame burning or torching of painted surfaces
- The use of machines designed to remove paint or other surface coatings through high speed operation such as sanding, grinding, power planing, needle gun, abrasive blasting, or sandblasting, on painted surfaces unless such machines have shrouds or containment systems and are equipped with a HEPA vacuum attachment to collect dust and debris at the point of generation. Machines must be operated so that no visible dust or release of air occurs outside the shroud or containment system.
- Operating a heat gun on painted surfaces at temperatures greater than 1,100 degrees Fahrenheit.

## Control the spread of dust.

- You must keep the work area closed off from the rest of the home. The work area must be sufficiently isolated and maintained to prevent the escape of dust or debris.
- You must ensure that all personnel, tools, and all other items exiting the work area are free of dust and debris. Don't track dust out of the work area:
  - Vacuum all personnel leaving the work area, pay particular attention to the soles of shoes. Consider disposable protective clothing and shoe covers to minimize the contamination of work clothes and shoes. Also, a large disposable tack pad on the floor can help to clean the soles of your shoes.
  - Vacuum and/or wipe down, as necessary, all tools and other items exiting the work area.
- You should launder non-disposable protective clothing separately from family laundry.



### Use the right tools.

- You should use wet sanders and misters to keep down the dust created during sanding, drilling and cutting.
- You must use HEPA vacuum attachments on power sanders and grinders to contain the dust created by these tools.
- When a heat gun is needed to remove paint or other surface coatings, you must use a temperature setting below 1,100 degrees Fahrenheit.

### Use work practices that minimize dust.

- You should mist areas before sanding, scraping, drilling and cutting to keep the dust down (except within 1 foot of live electrical outlets).
- You should score paint with a utility knife before separating components.
- You should pry and pull apart components instead of pounding and hammering.
- You must keep components that are being disposed of in the work area until they are wrapped securely in heavy plastic sheeting or bagged in heavy duty plastic bags. Once wrapped or bagged, remove them from the work area and store them in a safe area away from residents.

# In federally-assisted housing, HUD's rule prohibits additional work practices:

- Extensive dry scraping and sanding by hand.
- Heat guns that char paint.
- Paint stripping in a poorly ventilated space using a volatile paint stripper.

Note: The EPA Renovation, Repair and Painting Rule does not apply to homeowners who renovate their own property. However, because the practices prohibited under the rules generate significant amounts of dust, EPA recommends that they be avoided by the do-it-yourself homeowner also.

# Step 5

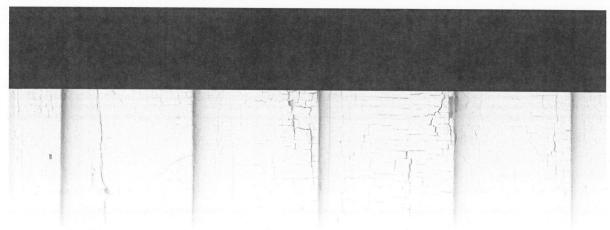
## Leave the Work Area Clean

The work area should be left clean at the end of every day and must be cleaned thoroughly at the end of the job. The area must be completely free of dust and debris. The following cleaning supplies, tools, and equipment are available in hardware, paint or garden supply stores.

## **Shopping List**

- ☐ Heavy-duty plastic bags
- ☐ HEPA vacuum with attachments and a powered beater bar
- $\square$  Masking tape, duct tape, or painters tape
- ☐ Misting bottle or pump sprayer
- ☐ Disposable wet-cleaning wipes or hand towels
- ☐ General-purpose cleaner
- ☐ Mop and disposable mop heads
- ☐ Two buckets or one two-sided bucket with a wringer
- ☐ Shovel and rake
- ☐ Wet Mopping System
- ☐ Electrostatically charged dry cleaning cloths





## What To Do

### On a daily basis, you should:

- Pick up as you go. Put trash in heavy-duty plastic bags.
- Vacuum the work area with a HEPA vacuum cleaner frequently.
- Clean tools at the end of the day.
- Wash up each time you take a break and before you go home.
- Dispose of or clean off your personal protective equipment.
- Remind residents to stay out of the work area.

When the job is complete, you must clean the work area until no dust, debris or residue remains:

#### Interior and exterior renovations

- Collect all paint chips and debris and seal in a heavy-duty bag.
- Remove the protective sheeting. Mist the sheeting before folding it dirty side inward, and either tape shut or seal in heavy-duty bags. Sheeting used to isolate contaminated rooms from non-contaminated rooms must remain in place until after the cleaning and removal of other sheeting. Dispose of the sheeting as waste.

## Additional cleaning for interior renovations.

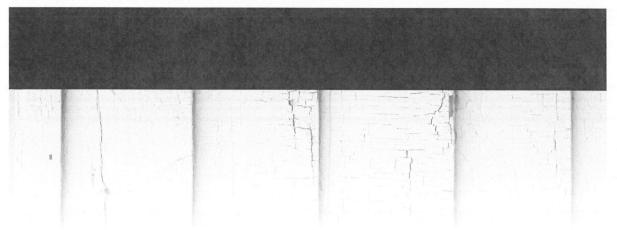
- The firm must clean all objects and surfaces in the work area and within 2 feet of the work area, cleaning from higher to lower:
- Walls. Clean walls with a HEPA vacuum or wiping with a damp cloth.
- Remaining surfaces. Thoroughly vacuum all remaining surfaces and objects in the work area, including furniture and fixtures, with a HEPA vacuum. The HEPA vacuum must be equipped with a beater bar when vacuuming carpets and rugs.
- Wipe all remaining surfaces and objects in the work area, except carpet or upholstery, with a damp cloth. Mop uncarpeted floors thoroughly.



## Waste from Renovations

- Waste from renovation activities must be contained to prevent releases of dust and debris before the waste is removed from the work area for storage or disposal.
  - Collect and control all your waste. This includes dust, debris, paint chips, protective sheeting, HEPA filters, dirty water, cloths, mop heads, wipes, protective clothing, respirators, gloves, architectural components and other waste.
  - Use heavy plastic sheeting or bags to collect waste. Seal the bag securely with duct tape. Consider double bagging waste to prevent tears. Large components must be wrapped in protective sheeting and sealed with tape.
- Bag and seal all waste before removing it from the work area.
- At the conclusion of each work day and at the conclusion of the renovation, waste that has been collected from renovation activities must be stored to prevent access to and the release of dust and debris.
- Waste transported from renovation activities must be contained to prevent release of dust and debris.





#### Dispose of waste water appropriately.

- Water used for cleanup should be filtered and dumped in a toilet if local rules allow. If not, collect it in a drum and take it with you. Never dump this water down a storm drain, or on the ground. Always dispose of waste water in accordance with federal, state and local regulations.
- EPA's Web site has state information on solid and hazardous waste disposal. See the following link for further information: www.epa.gov/epawaste/wyl/stateprograms.htm.

#### Be aware of waste disposal rules.

- Because EPA considers most residential renovation and remodeling as "routine residential maintenance," most waste generated during these activities is classified as solid, non-hazardous waste, and should be taken to a licensed solid waste landfill. This is not the case for work done in commercial, public or other nonresidential child-occupied facilities, where waste may be considered hazardous and require special disposal methods. See the following link for further information: www.epa.gov/lead/pubs/fslbp.htm.
- Always check state and local requirements before disposing of waste.
   Some are more stringent than federal regulations.



# Step 7 Verify Work Completion with the Cleaning Verification Procedure or Clearance

When all the work is complete, and before interior space is reoccupied, you must determine whether it is a safe environment to live in.

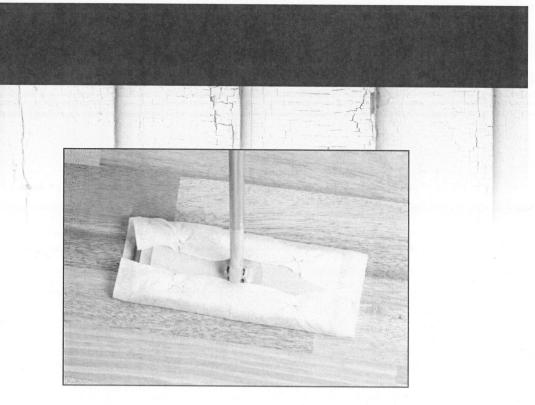
To ensure work areas are safe for reoccupancy, cleaning verification is required by the Renovation, Repair and Painting Rule. If the housing receives federal assistance, clearance testing is required. When the cleaning verification procedure is required, an EPA Certified Renovator must perform the cleaning verification procedure. If clearance is required, a Certified Lead Inspector, Certified Lead Risk Assessor, or Certified Lead Sampling Technician must conduct clearance testing.

## **Cleaning Verification Procedure**

After completion of cleaning, the Certified Renovator must visually inspect the work area to confirm that it is free of dust, debris, or residue.

For exterior projects, when work areas have passed the visual inspection, the project is complete and the area may be turned over to the occupants.

For interior projects, when work areas have passed the visual inspection, the cleaning verification procedure is performed by wiping all dust collection surfaces in the work area with a wet, disposable cleaning cloth and comparing that cloth visually to a cleaning verification card. Dust collection surfaces include window sills, countertops and floors. Cleaning verification cards are available by calling the National Lead Information Center at 1-800-424-LEAD (5323). Cleaning verification may only be performed by an EPA Certified Renovator if renovations covered by the Renovation, Repair and Painting rule were performed.

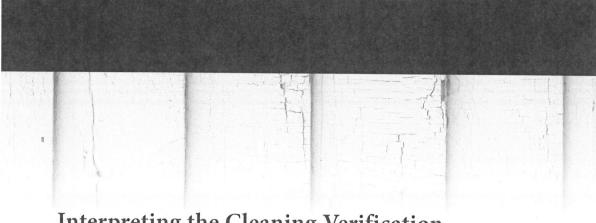


### The cleaning verification procedure for window sills is described below:

- Each window sill in the work area is wiped by the Certified Renovator using a single, wet, disposable cleaning cloth.
- Once the entire window sill surface is wiped, the cleaning cloth is compared to the cleaning verification card. (See "Interpreting the Cleaning Verification Procedure" on page 26).

## The cleaning verification procedure for countertops and floors is described below:

- Each countertop is wiped by the Certified Renovator using a wet disposable cleaning cloth:
  - For smaller countertops and floors with a total surface area less than 40 square feet—wipe the entire surface with a single wet disposable cleaning cloth and compare to the cleaning verification card.
  - Large area surfaces, such as large countertops and floors, have surface areas larger than 40 square feet—each of these large countertops and floors must be divided into roughly equal sections that are 40 square feet or less. Wipe each section separately using a new wet disposable cleaning cloth for each separate section. When conducting cleaning verification on floors, the wet disposable cleaning cloth will be attached to the handle of a wet mopping system. The use of the wet mopping system handle allows the Certified Renovator to apply uniform pressure on the cleaning cloth. Each cleaning cloth is then compared to the cleaning verification card.



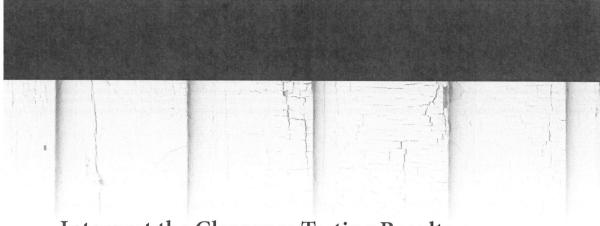
# Interpreting the Cleaning Verification Procedure

- The Certifed Renovator compares each cleaning cloth representing a specific surface section to the cleaning verification card. If the cleaning cloth used to wipe a surface section within the work area is cleaner than the example cleaning cloth on the cleaning verification card, then that surface section has been adequately cleaned.
- If the cloth is not cleaner than the cleaning verification card, re-clean that surface section. Then the Certified Renovator uses a new wet disposable cleaning cloth to wipe the surface section again. If the second cloth is cleaner than the cleaning verification card, that surface section has been adequately cleaned.
- If the second cloth is not cleaner than the cleaning verification card, wait for 1 hour or until the surface section has dried completely, whichever is longer.
- Then the Certified Renovator wipes the surface section with a dry electrostatic cleaning cloth. The cleaning verification procedure is now complete and the surface is considered clean.
- When all of the surfaces in the work area have passed comparison with the cleaning verification card, or have completed the post-renovation cleaning verification, the project is complete and the area can be turned over to occupants unless the housing is receiving federal assistance, or state or local laws require dust clearance testing, in which case the project must pass dust clearance testing before the area can be turned over to occupants.

## **Dust Clearance Testing**

Clearance testing is conducted by Certified Lead-based Paint Inspectors, Certified Lead-based Paint Risk Assessors, or Certified Lead Dust Sampling Technicians. For homes receiving federal assistance, the clearance testing must be done by a person independent of the renovation firm.

- Although optional under the Renovation, Repair and Painting Rule, some states and localities may require clearance testing. Also, a homeowner may specifically request that a clearance test be performed in the contract. In this case, clean up the work area and check your work, then contact a Certified Lead-based Paint Inspector, Risk Assessor or Lead Dust Sampling Technician to arrange for clearance testing.
- HUD requires clearance testing after renovation or repair work in pre-1978 homes receiving federal assistance, which are regulated under the Lead Safe Housing Rule. Contractors must determine whether the home is federally-assisted. Federal assistance may be channeled through a state or local government, community development corporation or other similar entity.
- Clearance sampling for interior jobs will consist of a floor sample taken in each room where work was performed (to a maximum of four samples) and an additional sample on the floor outside the entry to the work area. Where window sills and window troughs were present in the work area, a window sill or window trough sample will be collected in each room where work was performed (to a maximum of four samples).
- All clearance samples must be sent to an EPA-recognized dust-lead laboratory for analysis. You can view the list of laboratories at www.epa.gov/lead/pubs/nllap.htm.



## **Interpret the Clearance Testing Results**

The laboratory will report the amount of lead in the dust. A dust sample at or above the following limits means the area is not safe for reoccupancy:

- Floors: 40 micrograms per square foot
- Window sills: 250 micrograms per square foot
- Window troughs: 400 micrograms per square foot

If the laboratory report shows lead levels at or above these thresholds, the home fails the dust clearance test. The home must be cleaned and retested until compliance with these clearance limits is achieved.

If a homowner decides they want dust clearance testing performed, it is a good idea to specify in the initial contract, before the start of the job, that that a dust clearance test is to be done and who will do the testing, as well as whether re-cleaning will be required based on the results of the test. No one besides the contractor and the person taking the dust samples should enter the work area until the area has passed the dust clearance test.



## Learn More About Lead Safety

To learn more about the Renovation, Repair and Painting Rule, and lead safe work practices, go to www.epa.gov/lead or you may also contact the National Lead Information Center at 1-800-424-LEAD (5323). The Center is the federal government's leading source of quality information on lead poisoning prevention and lead hazards.

#### Take a Course.

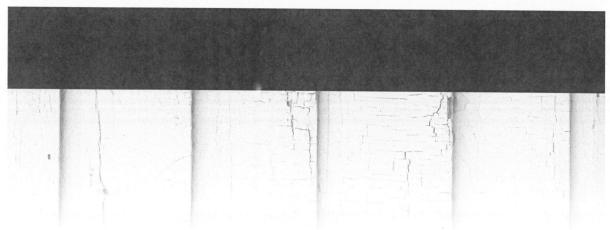
Get trained and certified in lead safety. Go to <a href="http://cfpub.epa.gov/flpp/searchrrp\_training.htm">http://cfpub.epa.gov/flpp/searchrrp\_training.htm</a> to find a training provider in your area accredited by EPA.

#### Find Out About Local Rules and Resources.

To check whether a state is authorized to administer its own program in lieu of the EPA Renovation, Repair and Painting Program, and for information on EPA authorized state programs, visit

www.epa.gov/lead/pubs/lscp-renovation\_firm.htm. In addition, the National Lead Information Center can provide information on how to contact your state, local and/or tribal programs to get general information about lead poisoning prevention.

- Local health departments can provide information about local programs, including assistance for poisoned children.
- State and tribal lead poisoning prevention or environmental protection programs can provide information about the lead regulations that apply in your community and can tell you about possible sources of financial aid for reducing lead hazards. They also may be able to tell you about the costs and availability of individuals certified to test lead paint and/or lead dust.
- Building code officials can tell you the regulations that apply to the renovation and remodeling work that you are planning.



#### Access Additional Resource Materials.

EPA's website provides the following general reference and how-to guidance materials:

- The Lead-Safe Certified Guide to Renovate Right: Important Lead Hazard Information for Families, Child Care Providers and Schools (EPA-740-K-10-001, Revised September 2011).
  www.epa.gov/lead/pubs/renovaterightbrochure.pdf
- Small Entity Compliance Guide to Renovate Right: A Handbook for Contractors, Property Managers and Maintenance Personnel Working in Homes, Child Care Facilities and Schools Built Before 1978. (EPA-740-K-10-003, Revised September 2011). www.epa.gov/lead/pubs/sbcomplianceguide.pdf
- Protect Your Family from Lead in Your Home (EPA 747-K-99-001, Revised June 2003). This is a general information pamphlet on lead-based paint, lead hazards, the effects of lead poisoning and steps you can take to protect your family. www.epa.gov/lead/pubs/leadpdfe.pdf
- For a copy of these materials you may also contact the National Lead Information Center at www.epa.gov/lead/nlic.htm or call 1-800-424-LEAD (5323).



# Other Resources

For other resources on lead, visit the following Web sites:

www.epa.gov/lead/ — EPA is playing a major role in addressing residential lead hazards, including those associated with lead-based paint, lead contaminated dust and lead contaminated residential soil. This Web site provides information about lead and lead hazards and provides some simple steps to protect your family. It contains links to basic information, as well as more detailed information and documents on lead in the news, rules and regulations, education and outreach materials, training, and other lead links.

www.hud.gov/offices/lead/ — The Department of Housing and Urban Development (HUD) provides funds to state and local governments to develop cost-effective ways to reduce lead-based paint hazards in America's privately-owned low-income housing. In addition, the office enforces HUD lead regulations, provides public outreach and technical assistance, and conducts technical studies to help protect children and their families from health and safety hazards in the home. The site will direct you to resources on lead paint regulations, training, guidance/technical guidelines and compliance and enforcement.

www.osha.gov/SLTC/lead/index.html — The mission of the U.S. Department of Labor's Occupational Safety and Health Administration (OSHA) is to assure the safety and health of America's workers by: setting and enforcing standards; providing training, outreach, and education; establishing partnerships; and encouraging continual improvements in workplace safety and health. OSHA has established the reduction of lead exposure as a high strategic priority. This site contains links to lead recognition, evaluation, compliance, and training resources.

www.cdc.gov/lead — The U.S. Department of Health and Human Services Centers for Disease Control and Prevention (CDC) are committed to achieving improvements in people's health. This site provides CDC's compiled information on lead and includes materials and links for parents, health professionals, researchers, students and others interested in the topic of lead. The key resources include fact sheets, guidelines and recommendations and questions and answers.



# Pre-Renovation Education Requirements

The pre-renovation education requirements of the Renovation, Repair and Painting Rule ensure that owners and occupants of pre-1978 homes and child-occupied facilities are provided information about potential hazards of lead-based paint exposure before renovations are begun.

Who is affected? The requirements apply to any person paid to do work that disturbs paint in residential housing or child-occupied facilities built before 1978. This includes residential rental property owners and managers, general contractors and special trade contractors such as painters, plumbers, carpenters and electricians.

What properties are affected? All residential properties and child-occupied facilities built before 1978 are affected unless they meet one of the exceptions listed below.

Are there any exceptions? The requirements do not apply to housing designated for elderly or disabled persons (unless children under age 6 live there), zero-bedroom dwellings (studio apartments, dormitories, etc.), housing determined to be free of lead-based paint by a lead-based paint inspection, emergency renovations and repairs, and minor repairs that disturb 6 square feet or less of paint on interior surfaces or 20 square feet or less of paint on exterior surfaces. The minor repair exemption does not apply to projects involving demolition, window replacement, or involve the use of any of the practices prohibited by the Renovation, Repair and Painting rule.

What are the requirements? The Renovation, Repair and Painting Rule requires the distribution of the lead pamphlet The Lead-Safe Certified Guide to Renovate Right: Important Lead Hazard Information for Families, Child Care Providers and Schools before the work starts.

- In housing built before 1978, you must:
  - Distribute EPA's lead pamphlet to the owner and occupants before renovation starts.
- In a child-occupied facility, you must:
  - Distribute the lead pamphlet to the owner of the building and an adult representative of the child-occupied facility before the renovation starts.
  - Either distribute renovation notices to parents/guardians of the children attending the child-occupied facility, or post informational signs about the renovation or repair job.



- For work in common areas of multi-family housing, you must:
  - Either distribute renovation notices to tenants or you must post informational signs about the renovation or repair job.
- Obtain confirmation of receipt of the lead pamphlet from the owner or a certificate of mailing from the post office.
- Obtain confirmation of receipt of the lead pamphlet from the housing occupants or the adult representative of the child-occupied facility or a certificate of mailing from the post office. For these persons, you may also certify in writing that you delivered the lead pamphlet but were unable to obtain written confirmation.
- Retain records for three years.

How do I get the pamphlet? You can download the pamphlet from EPA's website at www.epa.gov/lead/pubs/brochure.htm. Single copies of the pamphlet are available from the National Lead Information Center at 1-800-424-LEAD (5323). Ask for the Lead-Safe Certified Guide to Renovate Right: Important Lead Hazard Information for Families, Child Care Providers, and Schools pamphlet. For multiple copies you may do the following:

- 1. Call the Government Printing Office (GPO) Order Desk at (202) 512-1800.
- 2. Order from the GPO Bookstore at http://bookstore.gpo.gov/environment.
- 3. Request copies in writing from: U.S. GPO P.O. Box 979050 St. Louis, MO 63197-9000



Note: In federally-assisted housing, HUD requires notification to be distributed to occupants within 15 days after lead-based paint or lead-based paint hazards are identified in their unit (or common areas, if applicable), and within 15 days after completion of hazard control work in their unit or common areas.

# Prevent Lead Exposure During Renovation, epair, and Painting

Understand that Renovation, Repair and Painting Jobs Can Create Hazards. People, especially children, may swallow the lead dust or paint chips created during the job and get poisoned. Lead poisoning has serious health effects.

Read EPA and HUD's Lead Hazard Information Pamphlet The Lead-Safe Certified Guide to Renovate Right Important Information for Families, Child Care Providers and Schools. Contractors are required by law to give clients in pre-1978 homes and child-occupied facilities a copy of this pamphlet. The pamphlet explains the hazards associated with lead-based paint. You can get copies of the pamphlet by calling 1-800-424-LEAD (5323) or you can download it at

www.epa.gov/lead/pubs/renovaterightbrochure.pdf.

Use Lead-Safe Work Practices. Follow practices that will protect you and residents from exposure to lead. These practices may take a small amount of additional time and money, but they are necessary to protect children, residents, workers and workers' families from exposure to lead dust.

Conduct Lead Testing Before and/or After the Work is Performed.

Pre-job testing can identify any lead paint in the home and allow workers to target lead safe work practices to the areas where there is lead paint. Using the cleaning verification procedure or clearance testing at the end of the job ensures that no dust has been left behind.

Learn More About Lead. To learn more about working safely with lead, visit EPA's Web site at www.epa.gov/lead or HUD's Web site at www.hud.gov/offices/lead. You may also contact the National Lead Information Center at 1-800-424-LEAD (5323)

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U.S. Dept. of Housing and Urban Development, Office of Healthy Homes and Lead Hazard Control
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County, Maryland, its successors and assigns (assigns including an y person deriving title mediately or immediately from said Company to any lot or square or part of a lot or square in Section of the subdivision of which the land hereby conveyed forms a part.

Together with the buildings and improvements thereupon erected, made or being, and all and every the rights, alleys, ways, waters, privileges, appurtenances and advantages to the same belonging or in anywise appertaining.

To have and to hold the above mentioned lot and premises above described and mentioned and hereby intended to be conveyed; together with the rights, privileges, appurtenances and adventages thereto belonging or appertaining unto and to the proper use and benefit of the said Antonia P. Sickles in fee simple.

And the said Nellie R. Pfeiffer and David G. Pfeiffer do hereby covenant that they will warrant specially the property hereby granted, and conveyed, and that they will execute such further assurances of said property as may be requisite.

Witness the hands and seals of the said grantors.

Test: 355 Nellie R. Pfeiffer, (senl)

Samuel H. Marks. 343 David G. Pfeiffer, (seal

District of Columbia, to wit:

I, Samuel H. Marks, a Notary Public in and for the District of Columbia, do hereby certify that Neilie R. Pfeiffer and david G. Pfeiffer, her husband, both of the City of Washington, District of Columbia, parties to a certain peed bearing date on the 5th day of July, 1915, and hereto annaxed, personally appeared before me in said District the said Neilia R. Pfeiffer and David C. Pfeiffer being personally well known to me as the persons who executed the aforegoing and annaxed deed and acknowledged the same to be their act and deed.

Given under my hand and seal this tenth day of July, 1915.

Samuel H. Marks, (seal)

Samuel H. Marks, Notary Public,

Columbia.

District of My Commission expires Jan. 29, 1918.

OURDERS CORNUNAROR BARRARARAN OF THE STREET STREET STREET CASES AND STREET STRE

At the request of Jacob S. Gruver the following Deed was recorded July 27th A. D. 1915 at 2.40 o'clock P. M., to wit:

> WITNESSETH, That the seid perty of the first pert, for and in consideration of the sum of forty five hundred (4500) dollars to it paid by the said perty of the second papt, and of the covenants and agreements of the said perty of the second part as here-

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MONTGOMERY COUNTY CIRCUIT COURT (Land Records) [MSA CE 63: 210] PBR 252, p. 0019. Punted 11:29:2012. Image available as

inefter set forth, does hereby grant and convey unto the said party of the second part, in fee simple, the following described land and premises, with the improvements, easements and appurts ances thereunto belonging, situate in the County of Montgomery, State of Maryland, namely:

Lots numbered five (5) and six (6) in Block numbered twenty nine (29), Section two, "Chary Chase", a subdivision made by The Chary Chase Land Company of Montgomery County, Maryland, as per plat of said subdivision recorded in Plat Book No. 2 page 106, of the Land Records of Montgomery County, Maryland, said plat of subdivision being a re-record of the plat of Subdivision recorded among said Land Records in Liber J. A. No. 76 folio 61.

(The consideration for this conveyance as hereinbefore mentioned is to be paid \$2700. in cash, or its equivalent, and the balance \$2200. to be represented by notes of the said party of the second part secured by deed of trust on the property hereby conveyed, which deed of trust is to be recorded herewith).

To have and to hold the said land and premises with the improvements, easements and appurtenences unto and to the use of the said party of the second part, his heirs and assigns in fee simple.

In consideration of the execution of this deed the said party of the second part, for himself and for his heirs and assigns, hereby occurants and agreements to run with the land) as follows, viz:

- 1. That all houses upon the premises hereby conveted shall be built and used for residence purposes exclusively, except stables, carriage houses, sheds or other outbuildings, for use in connection with such residences, and that no trade, business, manufacture or sales, or nuisance of any kind shall be carried on or permitted upon said premises.
- 2. That no structure of any description shell be erected within twenty five (25) feat of the front line of said premises, and that no stable, carriage house, shed, or outbuilding shall be erected except on the rear of said premises.

In the case of corner lots any and all lines bordering upon a street, avenue or parkway shall be considered a front line.

- That no house shall be erected on said premises at a cost less than three thousand (3000) dollars.
- 4. That any house erected on said premises shall be designed for the occupancy of a single family, and no part of any house or of any structure appurtment thereto shall be erected or maintained within five (5) feet of the side lines of premises nerely conveyed nor within (10) ten feet of the nearest adjacent house.
- 5. That a violation of any of the aforesaid covenants and agreements may be enjoined and the same enforced at the suit of The Chavy Chase Land Company of Montgomery County, Maryland, its successors and assigns (assigns including any person deriving title mediately or immediately from said Company to any lot or square, or part of a lot or square in the section of the subdivision of which the land hereby conveyed forms a part).

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And the said party hereto of the first part hereby covenants to warrant specially the property hereby conveyed, and to execute such further assurances of said land as may be requisite.

In Testimony Whereof, on the day and year first hereinbefore written, the said The Chevy Chase Land Company of Montgomery County, Maryland, has caused these presents to be signed with its corporate name by Edward J. Stellwagen its Vice-President, attested by George E. Fleming, its Secretary, and its corporate seel to be hereunto affixed, and does hereby constitute and appoint Harold E. Doyle its true and lawful attorney in fact, for it and in its name place and stand to acknowledge these presents as its act and deed before any person or officer duly authorized to take such acknowledgment, and to deliver the same

Chevy Chase
Land Company
of Montgomery Co.,
Maryland.

THE CHEVY CHASE LAND COMPANY OF MONTGOM-ERY COUNTY, MARYLAND.

By: Edward J. Stellwagen,

Vice-President.

Attest:

George E. Fleming,

Secretary.

(Int. Rev. \$2.75)

District of Columbia, to wit:

I, Albert W. Sioussa, a Notary Public in and for the said District of Columbia, do hereby certify that Harold E. Doyle who is personally well known to me to be the person named as attorney in fact in the foregoing and annexed dead dated the 20th day of July, 1915, to acknowledge the same, personally appeared before me in said District of Columbia, and as attorney in fact as aforesaid, and by virtue of the power and authority in him vested by the aforesaid Deed, and acknowledged the same to be the act and deed of the said. The Chevy Chase Lend Compeny of Montgomery County, Maryland, and delivered the same as such

Given under my hand end seel this 20th day of July, A. D. 1915.

Albert W. Sioussa,

Notary Public, D. C.

Albert W. Siousse,
Notery Public,
District of Columbia
Commission expires
May 13, 1918.

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